

Dumont Dunes Technical Review Team
MINUTES OF MEETING
April 17, 2007

Bureau of Land Management
Barstow Field Office
Conference Room
2601 Barstow Road
Barstow, CA 92311
(760) 252-6000

1. Call to Order

TRT Chairman Bill Presch called the meeting to order at 10:03 am and led the TRT in a recital of the Pledge of Allegiance.

A. Introductions

Members of the TRT and participating BLM staff introduced themselves:

TRT Members Present:

Dr. William Presch, chairman; California Desert District Advisory Council

Jim Bramham, vice chairman; OHV organizations

Randy Banis, secretary; other motorized recreation

Terry Allen, Nevada OHV interests

John Dalglish, Friends of Dumont Dunes

Gerry Hillier, San Bernardino County

Kathleen Stosuy, California OHV interests

Ed Waldheim, California Off-Highway Motor Vehicle Recreation Commission

BLM Staff Present:

Roxie Trost, Manager, Barstow Field Office

Lynnette Elser, Recreation Chief, Barstow Field Office

Members of the General Public Present:

David DiNicola

David Jackson

Pam Jackson

Mike Woods, OHV Representative, Marine Corps Logistics Base, Barstow

TRT Members Absent:

David Charlton, California Desert District Advisory Council

Sheri Davis, commercial filming, California Desert District Advisory Council

Ron Schiller, California Desert District Advisory Council

B. Agenda

Bill Presch opened the agenda to additions or changes. The agenda was approved by consent.

C. Minutes

Copies of the draft minutes for the TRT's March 7, 2007, meeting were circulated. Randy Banis reported that Ron Schiller emailed him an omission from the minutes. During the discussion about vendor permits Ron asked to be provided the regulation number and part that was applicable to the vendor permits. There were no additional corrections or changes and the minutes were accepted by consent.

2. Old Business

A. Dumont Dunes road surface

Lynnette Elser reported on the TRT's March 29th teleconference on the issue of purchasing crushed asphalt for the Dumont Dunes road. All of the material has been delivered and spread, but not yet rolled or compacted.

Terry Allen felt that the material was poorly spread, leaving ripples that slowed speeds to 10 MPH. He reported that the topic of conversation at the dunes that weekend was the poor road condition that resulted from the crushed asphalt. Bill Presch thought that the roughness might be felt more severely in RV's as he traveled the road in his pickup truck and thought it was OK.

Lynnette also reported that all of the signs along Dumont Dunes road had been stolen and replacements were necessary. Also, she reported that the vendor was not present last weekend until Sunday. Bill reported that the vendor was present on Tuesday morning when he last went through.

Bill discussed efforts to gain the right to draft water from the Amargosa River for watering the road. The amount of water required amounts to less than an acre foot per year and a hydrologist is being consulted to help with the research.

Randy Banis requested assistance with producing a set of minutes to cover the teleconference, as he was not able to participate. Terry Allen volunteered to assist him.

Terry Allen questioned if the contractor that sold the BLM the materials was not being paid twice to dispose of it. Given that crushed asphalt removal is usually a contract component, the contractor had likely already been paid to dispose of the material. Lynnette remarked that had the BLM not bought the surplus material it would likely have gone to Baker which makes use of lots of crushed asphalt. Terry requested that the BLM investigate if the vendor was indeed double paid, but Lynnette replied that since the bill has been paid, the issue is now moot.

Roxie Trost phrased the issue as whether or not the TRT wanted the materials, not if the contractor was double paid. Since the materials were set for disposal, the only choice was to purchase it or not.

Terry issued concerns about the negative posts on the internet regarding the poor condition of the road and how much was paid for the materials. It does not appear that

the road was graded prior to spreading and that the resulting washboards are severe. He hoped that additional work and traffic would compact and improve the road.

Jim Bramham asked if road base material was more expensive than crushed asphalt. Lynnette replied that it was, and is priced at \$20 per ton. Jim was concerned that the road may need to be fully reworked in order for the aggregate to stay on the road.

Terry stated that the dust problem is better due to the crushed asphalt, and that it looks like the BLM and TRT are trying to do something to improve the road.

Ed Waldheim thought that the photos that were circulated showed that the crushed asphalt was spread too thin in places. Terry suggested trying to get another load for the first quarter mile of the road, or perhaps skimming and reapplying some of the material to the entrance.

B. Funding for Dumont Dunes

Lynnette presented a revised schedule of fee revenue for Dumont Dunes with estimates based on the TRT's suggested fee schedule. The projected total fee revenue minus fee vendor income was \$825,784. The projected expenses remained the same as in the previous estimate, \$1,022,202, for a deficit of \$196,418.

Roxie Trost explained that the fee collection contractor is required to report daily totals, but they did not initially do so, therefore, they can only estimate visitor levels by month. The contract requires a third party audit, including for the number of hours worked. The contract is currently up for renewal.

Lynnette explained her preference to move to having machine issued passes only, and to implement a better way, or eliminate altogether, the need to collect the weekly passes upon exit. Under this scenario the contractor would do more compliance checking and less making change.

Roxie stated that she would be meeting with the vendor to wrap up the current contract, and will prepare more information about the contract for a future TRT meeting. Randy Banis requested that the TRT receive a copy of the current contract, which expires September 30, 2007.

Jim Bramham cautioned the BLM against implementing both a new fee structure and a new vendor at the same time. Gerry Hillier agreed and suggested putting the contract out for bid this summer. Roxie replied that much more information gathering would be necessary before she is ready to suggest options to the TRT. She also noted that the vendor insists that his activities will not go beyond the scope of the contract.

Ed Waldheim suggested doing away with a vendor altogether and find a way for the BLM to do it for less money and to keep the money local. Roxie replied that safety issues, manpower shortages, cash concerns, the area's remoteness, complex audit

requirements, and federal rules and regulations all make it beneficial to enlist a contractor.

Randy Banis suggested this might be a good vending opportunity for a nonprofit OHV organization.

Jim Bramham suggested that the goal should actually be to have no fee sales on site. Like other recreation oriented permits, such as fishing licenses and snow park permits, local merchants will often sell the permits, which users are expected to have when they visit.

Several members of the TRT spoke in support of the BLM exploring the concept further.

Bill Presch reminded the TRT that there was still no motion on the table regarding the fee schedule that was proposed at the previous meeting.

Jim Bramham moved that the TRT recommend the fee schedule that was suggested at the previous TRT meeting:

Annual Pass: Full Access \$120 Non-Holiday Access \$90 Holiday Surcharge \$10

Seven Day Pass: Holiday \$40 Non-Holiday \$30

Gerry Hillier seconded the motion.

Randy Banis circulated a spreadsheet that attempted to reconcile the actual Dumont Dunes costs charged to fees during FY06 with the estimates from the business plan update for FY08. The spreadsheet yielded an unreconciled balance of approximately \$665,000. Lynnette Elser presented the TRT with documents relative to earlier California OHMV Commission grants that were awarded to the Barstow Field Office that was not awarded in the last grant cycle. The O&M grant provided \$230,000, and the Law Enforcement grant provided \$215,000. The remaining difference was made up with \$80,000 from Law Enforcement travel, and \$140,000 from appropriated funds for Roxie, Lynnette, and unbudgeted increases in expenses. Randy Banis thanked Lynnette and Roxie for filling the gaps in his spreadsheet.

Gerry suggested that the proposed fee structure be tweaked to meet this deficit. Bill reminded Gerry that the details of the current proposal were worked out collaboratively at the previous meeting with significant public participation and recommended that the TRT continue moving forward with the proposal.

Terry Allen suggested that some expenses might be reduced. For example road material, grading and watering costs might be reduced temporarily due to the recently spread crushed asphalt.

Randy discussed conflicts between a complex surcharge structure and possible outside vendors would want simplicity. Jim discussed the various methods of fee collections being used or suggested at Glamis and other fee areas, such as RF tags, stamps and stickers. Ed Waldheim suggested that we table discussions about how to collect fees for a future meeting.

Terry asked Roxie and Lynnette if the BLM could still adequately fund Dumont Dunes under the new fee structure, and Lynnette replied affirmatively.

Bill requested that a member of the TRT call the question, and Ed Waldheim issued the call. The motion passed 7-1, with Randy Banis opposed.

2. Old Business

A. Vendor Permits

Following up from the previous meeting, Lynnette reported that vendors do indeed pay for a user pass for their primary vehicle. Some have purchased as many as three annual passes for their caravan of vehicles, while other vendors use temporary passes for their delivery vehicles.

Lynnette further reported that all vendor fees go to pay for the processing of the vendor permit applications.

Terry Allen suggested that the current location of vendor row might need to be moved if vendors are to sell user passes. He also asked if a public process was necessary to change the location of the vendor row as discussed at previous TRT meetings. Lynnette responded that no public process would be necessary, and suggested that next year's vendor permits might specify a specific location for vendor row.

Bill recessed for lunch at 12:15 pm, and resumed the meeting at 12:47 pm.

Roxie Trost asked to begin the afternoon with an old business matter regarding user trash at the Dunes that was not on the agenda. There were no objections. She presented a letter from Inyo County and a press release from a coalition of Tecopa area agencies and nonprofits. She also discussed her participation at an Inyo County Board of Supervisors meeting on the subject of trash collection.

The letter informs the BLM of possible changes in the County's waste collection practices and urged the BLM to begin providing trash collection services for Dumont Dunes visitors. The press release describes trash and waste problems identified by the coalition as resulting from the pass-thru traffic of Dumont Dunes visitors. The press release listed the Friends of Dumont Dunes as participants and members of the coalition, but the group knew nothing of the event or the coalition, and questioned why they were included.

Following her appearance before the Inyo County Board of Supervisors, Supervisor Cerventes suggested and invited that she participate in the Tecopa area coalition's next meeting.

Terry Allen reported that although there were two dumpster loads of trash removed during the annual Friends of Dumont Dunes clean up, he thought that this was very little trash for 125,000 visitors.

Roxie surmised that the actions of the Tecopa area coalition might be related to the local restrictions being on the BLM for purchasing water for the road, and possibly due to opposition to motorized activities at the dunes.

Jim Bramham suggested that the TRT write a letter inviting the group to attend and participate in a TRT meeting, and to inform them of our role and how we might help. Roxie supported the suggestion.

Randy Banis moved that the TRT write the letter, but the motion died for lack of a second.

Gerry Hillier suggested trying to obtain an invitation to the Tecopa area coalition's next meeting to learn more about what they are advocating. Roxie stated that she did not believe that the coalition fully understood all of the related issues having not been a part of the TRT.

Guest David DiNicola stated that the fee vendor is not passing out the information flyers, which might help with the trash dumping problem. Terry replied that the vendor had initially agreed to do so, but confirmed that they are not doing so currently.

Lynnette reported a significant level of OHV abuse in Sperry Wash during the Easter holiday weekend. The problem was so severe that managers discussed implementing a temporary closure to non-street legal vehicles during the holiday weekends. Roxie stated that although it was discussed, she was not yet ready to propose this as a possible solution.

John Dalglish suggested installing a corridor of post and cable. Ed Waldheim emphasized the need for the BLM and TRT to take control of the situation away from the OHV abusers.

Guest David Jackson suggested that volunteer patrols might be effective, and that many would volunteer to serve on such patrols if they knew who to contact. He suggested a formal volunteer corps with jackets to establish a presence that might deter illegal riding. He also encouraged the Friend of Dumont Dunes to have a higher profile at Dumont Dunes and at sand shows. Terry Allen replied in support of the idea, but reminded the TRT that Friends of Dumont Dunes is only about 35 members strong and has limited resources.

Bill Presch noted that since the law enforcement representative is not present the TRT would have to table discussion about camp racing and other supplemental rules until such time as they can attend and make a presentation to the TRT. There were no objections.

3. Members' Items

A. Randy Banis

Randy reported that Roxie's staff had clarified his questions regarding the T&T rail bed near Dumont Dunes. Motorized travel on the route adjacent to the old T&T is not subject to a possessing a paid pass because the route was officially designated as being outside the boundary of Dumont Dunes.

B. Roxie Trost

Roxie suggested that the TRT might want to clarify its policy on travel reimbursements for those with unreasonable distances to travel for meetings. Randy Banis suggested that the TRT allow reimbursements for travel to meetings when the distance is greater than 150 miles each way. Terry Allen moved the suggestion, and the motion was seconded by John Dalgleish. The motion passed without objection.

4. Next Meeting

By consent, the TRT set the following date, time and location for its next public meeting:
Tuesday, June 5, 2007, 10:00 AM
BLM Barstow Field Office Conference Room

5. Adjournment

By consent, the meeting was adjourned at 1:52 pm.

Respectfully submitted,
Randy Banis
Secretary, Dumont Dunes Technical Review Team

APPROVED on June 5, 2007

SUMMARY OF ACTION ITEMS

Request to provide TRT with copy of fee vendor contract

Randy Banis requested that the TRT receive a copy of the current contract, which expires September 30, 2007.

Suggestion for off-site visitor permit sales only

Jim Bramham suggested that the goal should actually be to have no fee sales on site. Like other recreation oriented permits, such as fishing licenses and snow park permits, local merchants will often sell the permits, which users are expected to have when they visit.

Several members of the TRT spoke in support of the BLM exploring the concept further.

User Fee Increase

Jim Bramham moved that the TRT recommend the fee schedule suggest at the previous TRT meeting:

Annual Pass: Full Access \$120 Non-Holiday Access \$90 Holiday Surcharge \$10

Seven Day Pass: Holiday \$40 Non-Holiday \$30

Gerry Hillier seconded the motion.

The motion passed 7-1, with Randy Banis opposed.

Next Meeting

By consent, the TRT set the following date, time and location for its next public meeting: Tuesday, June 5, 2007, 10:00 AM, BLM Barstow Field Office Conference Room.